

REPEAL THE VOLSTEAD LAW: ADMIT BEER AND LIGHT WINES—DEMOCRATIC STATE PLATFORM

most perfunctory manner from the platform.

Under a resolution adopted just before adjournment, until 7 P. M. this evening, the convention authorized the Executive Committee to make the nominations for the various State offices.

MOONSHINE STILL FOUND IN BROOKLYN

Cleverly Hidden in Shack Behind Stable

A raid conducted early today by Assistant District Attorney Marshall Snyder of Kings County, in Ninetieth Street, just off Seventh Avenue, Brooklyn, where the new Gobner Street is surveyed, but not cut through, revealed a clever hiding place of moonshiners.

It consisted of a little shack behind a stable, half buried in the ground, with the windows covered with burlap bags.

The raiding party—Mr. Snyder, Chemist Thomas Wagner and Detectives Martin, Anderson and Meno—found five-gallon stills, three gas stoves, fifty gallons of denatured alcohol, which contained wood alcohol; fifteen cases of empty bottles, twenty-five to the case; a large number of bottles with labels of various kinds of alcohol rubs, and chemicals used in the process of turning denatured alcohol into beverage alcohol.

No one was found in the shack and no arrests were made. The owner, whose name was withheld, was said to be a woman, who declared that a week ago she rented the shack to two men, of the nature of whose business she knew nothing.

It was said that the stills had been surreptitiously connected with gas and water mains.

REBELS STILL HOLD EX-KING PRISONER

Five Ministers Also Put in Jail

PARIS, Sept. 29.—An Athens despatch to the Havas Agency says a prisoner held in Athens, pending arrangements for sending him out of the country, according to messages received in official quarters in Paris today. (An Athens message this morning saying the ex-king was not a prisoner indicated that, while he may not have been technically imprisoned, he was by no means a free agent, as it was said the revolution committee had not yet decided what should be done with him.)

Five Ministers of the Protopapadakis Government have been imprisoned, the messages also stated, charged with responsibility for the defeat of the Greek Army in Asia Minor and the succeeding events in Greece. These Ministers, it is declared, will be tried by a military commission. They are Gounaris, Stratos, Theotokis, Goudas and Protopapadakis.

The Ministers charge that the defeat of the Greek Army and the downfall of Constantine were due to a Venizelist plot, according to further reports reaching official circles. The news from Athens says the city is quiet and the new King definitely in power.

BRITAIN FOR PEACE; SENDS NEW TROOPS

Greek Bid for Thrace Adds to Peril

Overnight, 1922 (New York Evening World), by Press Publishing Company

LONDON, Sept. 29.—Although the British Government continues to send reinforcements to the Near East, it is not abating its efforts to come to some agreement with Kemal Pasha. Unless the Turks force a fight with the British troops occupying the Chanak area it is expected that in the next forty-eight hours further efforts will be made to obtain direct contact with Kemal either through Gen. Sir Charles Harbord, Sir Horace Rumbold, British Ambassador at Constantinople, or Admiral Brook.

A grave turn in the situation has resulted from Greek threats to hold Eastern Thrace despite the Allies' willingness to cede it to the Turks. It is feared the Greek revolution will crystallize into a nationalist movement to hold Thrace at all costs. The Greeks have formidable forces in Thrace and can reinforce them quickly.

It is hardly likely that any of the Allies will embark upon war to throw out the Greeks, but such a conflict would increase the possibility of war between the British and Turks, because the latter would then try to enter Thrace through the so-called neutral zone of Chanak.

SHERIFF SPOILS GOOD JAIL STORY

"Guns" Only Cap Pistols and "Saw" a Corset Bone.

Anyway, White Plains had a thrill for a little while.

It started last night with a report that two criminals awaiting sentence had smuggled into the County Jail two big revolvers and a saw. Reporters were busy for hours and then the sheriff returned from the Republican convention and spoiled the story.

"Yes, boys, there were two guns," he said, "and I'll give them to the first man who reaches my office."

There was a race. The sheriff opened a drawer and produced two five-cent cap pistols. The "saw" was a bone from a woman's corset.

Democratic Platform Calls For Modification of Volstead Law, Restoration of Beer and Wine

Smith's Administration as Governor Is Praised—Labor Championed—Woman's Rights Urged—Repeal Transit Legislation.

By Jerry Daly
(Staff Correspondent of The Evening World.)

SYRACUSE, Sept. 29.—Mayor Hackett of Albany, permanent chairman, read the Democratic state convention platform, which is typically Hyliquesque. It denounces the Daugherty injunction, scores Gov. Miller and the corporations selling gas and electric light, also the traction companies.

The platform pledges the party to home rule, repeal of the transit legislation, a universal five-cent fare, cheaper gas, electric light and telephones. It would prohibit the appointment by Federal Judges of Receivers for Public Utility Companies. Restoration of direct primaries is advocated and a continuance of the emergency rent laws.

Contentment for the Volstead law and the illegal traffic in liquor are given as the reasons why the law should be modified to legalize the sale of light wine and beer.

The platform concludes with a testimonial for the administration of former Governor Smith.

The main features of the platform are:

"A genuine home rule amendment to the State Constitution containing a grant to all cities and villages of adequate power of self-government and right to enact, alter or repeal their charters, including power to own and operate their public utilities."

"Repeal of the Miller legislation of 1921 which delegated power to the present distrustful and public service commissions to increase rates without the consent of elected officials of the communities affected, a 5 cent fare on all street railroads, and lower gas, electric, water and phone rates."

"A law that will authorize cities,

town and villages to own and operate omnibuses."

"Development and distribution by the State of hydro-electric power for the benefit of all the people in order to bring about cheaper light and power."

"The most comprehensive and judicious development of the port of New York to facilitate the handling of world wide commerce for the benefit of our communities and industries. We insist that the principle of home rule dominate this enterprise and that the elected officials of the City of New York have the right to designate two of the three representatives of New York State to the board of directors, the undertaking and direct its scope."

"Restoration of the Labor Department to its former efficiency with adequate provisions to carry on its work, legislation declaring that the labor of a human being is not a commodity or article of commerce, legislation declaring that a restriction shall be placed in labor disputes without reasonable notice and hearing to first establish the facts."

"Impartial administration of the Workmen's Compensation Law and prompt payment of the claims of injured workmen."

"Creation of a real bureau of women in industry. Removal of all discriminations unjust to women."

"Continuation of the Democratic policy of liberal provision for public education."

"A humane and constructive policy for better care of the dependent wards of the State."

"A modern and enlightened programme of prison management."

"Amendments to the constitution establishing an executive budget and effecting a reorganization of the State government."

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DOG, SHOPLIFTER; STEALS FOR MASTER AND FLEES IN AUTO

Trained St. Bernard Grabs Beaded Bags and Races to Waiting Owner.

Dickens' Fagin schooled young boys in the intricacies of stealing and getting away with it, but little boys are unable to run fast. An enterprising Jerseyite has gone the famous character one better and has trained a massive St. Bernard dog to steal for him.

Everything was calm and serene in the drygoods store of Miller Bros., at No. 305 Warren Street, West New Durham, N. J., just before noon today and housewives were looking over a display of beaded handbags while their children were giving each other the once-over, when a beautiful St. Bernard dog strolled into the store.

The children converged upon him. "Nice doggie," they chorused, patting him, and the dog bore himself proudly around the store. That is, he appeared to be bored, but, as events proved, he was taking in the lay of things. Having oriented himself, he strolled over to the counter of beaded bags and awaited his turn. Then, when the salesgirl turned her head for a moment, he leaped to the counter, picked up five of the bags and darted out of the store.

Several girls and the store manager pursued the dog, when was seen to run east on Warren Street for two blocks and leaped into the rear of a small automobile, in which sat a lone man. As soon as the St. Bernard was safely in, the man drove off at a furious pace and no one succeeded in getting his number.

Now, police are looking for him. Yes, "is" is correct.

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Full Text of Referee's Finding Denying Stillman's Divorce Plea

The full text of the finding submitted today in Carmel to Supreme Court Justice Morsechauser by Referee Daniel J. Gleason in the Stillman divorce case follows:

"Supreme Court, Putnam County—James A. Stillman, plaintiff, against Anne U. Stillman and Guy Stillman, defendants.

"This is an action for divorce brought by the plaintiff against the defendant Anne U. Stillman, praying that the marriage between the plaintiff and said defendant be dissolved because of the adultery of the defendant and as a part of the affirmative relief asked by the plaintiff, the plaintiff prays that it be adjudged that the infant defendant Guy Stillman be declared to be illegitimate and not the child of the plaintiff, but the child of one Frederick Beauvais.

"The defendant Anne U. Stillman denies the charge of adultery set forth in the complaint and as an affirmative defense alleges that the plaintiff is guilty of adultery with one Florence H. Leeds, one 'Helen' and one 'Clara.' And lived in adulterous intercourse with the said Florence H. Leeds and that the said Florence H. Leeds gave birth to two children as a result of her adulterous intercourse with the plaintiff.

"The plaintiff denies the charge of adultery set forth in the complaint and as an affirmative defense alleges that the plaintiff is guilty of adultery with one Florence H. Leeds, one 'Helen' and one 'Clara.' And lived in adulterous intercourse with the said Florence H. Leeds and that the said Florence H. Leeds gave birth to two children as a result of her adulterous intercourse with the plaintiff.

"The action was commenced by the service of the summons and complaint here on the 5th day of July, 1920. The counter charge of adultery made by the defendant was not interposed until the early part of 1921 and after testimony had been taken in support of the charges of the plaintiff."

THREE MAIN QUESTIONS SETTLED BY DECISION.

Three questions remain for determination, and for convenience sake I have grouped them as follows:

First: Can the plaintiff, in any event, succeed against the defendant, Anne U. Stillman, because of her adulterous intercourse with Florence Helen Leeds.

Second: Is the infant defendant Guy Stillman the child of the plaintiff and the defendant?

Third: Is the adult defendant guilty of the charges of adultery set forth by the complaint?

This is a very unusual action, as it clearly appears without contradiction that since at least as early as 1916, and since that date, during the continuance of this action and down to at least March, 1921, the plaintiff has been intimate with a woman not his wife, known as Florence H. Leeds; has supported and maintained her as his wife, in various places and in various apartments.

That during the period she has given birth to two children who have been recognized by him as his children; has supplied her with motor cars and jewelry; supervised her bank account and has borne the same relations with her as a man ordinarily bears to his own wife.

The proof on this subject was so overwhelming and convincing that the plaintiff's attorneys frankly stated to the referee that no denial would be made of these charges, and upon the uncontested proof I find that the plaintiff has lived with one Florence H. Leeds from the year 1916 to at least the early part of 1921.

As to the charges regarding one "Clara" and one "Helen" no proof was offered as to Clara, but while there is evidence that the plaintiff occupied a stateroom in his yacht with one "Helen," no proof has been offered that the said "Helen" was not the adult defendant herein, and I find the charges as to the said "Clara" and "Helen" not proved.

LEGITIMACY OF BABY GUY MORE DIFFICULT PROBLEM.

A more serious question is presented, as to the legitimacy of the infant defendant, Guy Stillman. As the infant defendant, Guy Stillman, was concededly born in lawful wedlock, the burden of establishing his illegitimacy is upon the plaintiff, and the plaintiff must establish such illegitimacy by clear and irrefutable proof and beyond a reasonable doubt.

The presumption of fact of legitimacy is one of the strongest known to the law, and, of course, it cannot be overturned except by evidence which is stronger. The burden of proof is upon the party asserting illegitimacy.

The plaintiff, apparently relying upon the burden imposed on him by law, has sought to establish by a considerable number of witnesses that between Christmas of 1917 and March of 1918 the plaintiff had no meeting with the defendant.

No burden is imposed on the plaintiff to establish that it was impossible for the plaintiff to have been the father of the infant defendant, such burden never having been imposed on the plaintiff by the courts of the United States. The only burden imposed on the plaintiff is to establish that there was a meeting between the plaintiff and the defendant that such access or meeting took place under certain circumstances.

It is claimed by the plaintiff (Stillman) that during the period from Christmas of 1917 to March of 1918 the plaintiff was never at the home of the adult defendant (Mrs. Stillman) at Pleasantville and that there was no meeting at any other place.

STILLMAN CLAIMS SUCCESSFULLY MET BY DEFENSE.

To meet this proof, evidence has been offered on behalf of the adult defendant that on Jan. 6 and Jan. 27, 1918, the plaintiff and defendant were together at his residence, Pleasantville, Pleasantville, N. Y., and between Feb. 12 and 26 the adult defendant, with her family, stayed at the St. Regis Hotel in New York City and on one or two occasions the plaintiff was observed taking the elevator which led to her apartments and the plaintiff answered a telephone call to the adult defendant's apartment.

It further appears, without contradiction, that during all this period the relations between the plaintiff and the adult defendant were most harmonious and pleasant, no proof being offered or claimed that the plaintiff and defendant were not carrying on their usual marital relations, and in October previous it is conceded that the plaintiff and defendant occupied a room together at Lake Dawson, at which time the plaintiff expressed great pleasure at occupying a room with his wife; in fact, it also clearly appears that after the birth of the infant Guy, the plaintiff and adult defendant were often together, at which times the plaintiff played the victrola for the benefit of the defendant and the said infant and their relations then were apparently most happy and pleasant.

On the question of access, the testimony of the witness Clawson, strengthened by the letters written by him setting forth the fact of the presence of the plaintiff at Pleasantville, are most convincing.

The evidence on the part of the plaintiff as to non-access is not satisfactory, is not satisfying and does not convince me.

The plaintiff has failed to overcome the presumption of legitimacy and I therefore find the defendant Guy Stillman to be the legitimate child of the plaintiff and the adult defendant.

While the plaintiff's own misconduct precludes the granting of any relief to him in this action, and while the adult defendant asks for no affirmative relief, but sets up the misconduct of the plaintiff as defense only, the plaintiff asks for an adjudication that the adult defendant is guilty of the charges against her and for a finding to that effect herein.

The testimony adduced by the plaintiff in support of these charges, uncontested and unexplained, is sufficient to justify him in believing her guilty of the charges made against her. A careful examination, however, of all of the testimony has shaken my faith and belief in the testimony of the witnesses called in the plaintiff's behalf.

It is claimed that this evidence tends to establish relations between the adult defendant and one Frederick Beauvais, a half-breed Indian guide, commencing at Lake Wyagmack in December of 1916 and continuing down until the early part of the year 1920, and witnesses called, whose testimony in the plaintiff's claims establish the following misconducts:

In December, 1916, the adult defendant and the said Beauvais were together at a small club on Little Lake Wyagmack.

About Nov. 25, 1917, and during the week preceding the said date, the adult defendant and the said Beauvais occupied a room together in the Blackburn Cottage at Grande Anse.

In the summer of 1918, the adult defendant and said Beauvais lived alone and together in the Blackburn Cottage at Grande Anse.

In the latter part of June or the fore part of July, 1919, the adult defendant and the said Beauvais were together in Beauvais's room at Grande Anse and the said adult defendant's clothing was kept in Beauvais's room.

In September of 1919, the said adult defendant was together with her room in the White Cottage at Grande Anse and that at various times in the Blue Cottage at Pleasantville, and in the main residence there, the said Beauvais and the adult defendant were guilty of acts of misconduct.

EVIDENCE OF BRIBE DISCOUNTS.

STILLMAN'S TESTIMONY.

In support of the above a number of letters and conversations of alleged acts and conversations on the part of the adult defendant are offered in evidence.

The defendant not only offers evidence tending to establish the untruth and falsity of the evidence, but also tending to show

that the agents of the plaintiff offered inducements of money, position and to purchase clothes for witnesses if they would testify as to misconduct between the adult defendant and the co-respondent Beauvais, and evidence is offered on the part of the adult defendant to show that in December of 1916 the defendant did not stay at the Little Club on Little Lake Wyagmack, but that on such occasion the adult defendant had taken the train from Little Lake Wyagmack to the Big Club on Big Lake Wyagmack where she was stopping at the time.

The testimony of the witness Adams to the effect that in November of 1917 he had created a roller shade curtain and at night had peeped through the crease and saw the adult defendant and the co-respondent in compromising positions is unlikely, unsatisfactory and when it appears from the testimony of the adult defendant's witnesses that there never was a roller shade curtain in the house and that the small room in which it is claimed the co-respondent slept, was not at that time used as a bedroom, but as a store room for duffie, the effect of this testimony is absolutely destroyed.

The testimony as to the occupancy of the Blackburn house in the summer of 1918 and as to the defendant and the co-respondent being together in June and July of 1919 in September of that year, deserves careful scrutiny.

WITNESSES FROM CANADA FAILED TO IMPRESS.

The witness, Grenon, testified that on fifteen different mornings he peeped through the keyhole of the door of Beauvais's room and saw Beauvais and the adult defendant together. It is conceded by all the parties that at the time mentioned the defendant was at the white cottage mentioned by Grenon, three nights only, and this, coupled with the testimony of Grenon and Page to the effect that they also gazed through the window of the room while they were standing on a scaffold, when the greater weight of the evidence shows that at that time no scaffold existed, and the fact that an observation made through the keyhole would disclose only the foot of the bed, together with the participation of Grenon and Ferdinand Page with La Fontaine in a room on the second floor of the Hotel Windsor at La Touche in a conference in which arrangements were being made for the payment of money to Page and Grenon, testifying, destroys all confidence in their testimony and in the testimony of the witness Page as to the adult defendant and the co-respondent occupying a room together in September of the year 1919.

It appears that on most of these occasions the children and at times visitors and friends were occupying the same premises as the adult defendant and the co-respondent; that the partitions between the rooms were simply board partitions, without plastering and that at least part of the time rooms adjacent to that of the adult defendant were occupied by her daughter and her son, all of which tends to cast doubt upon the reliability of the testimony.

BEAUVAIS LETTERS NOT SATISFACTORY PROOF.

The testimony in relation to the molestations and with relations to finding the letters written by the adult defendant, lying around loose where any of the servants could read them, the variance between the testimony of the two witnesses who claimed to have seen the letters, Beauvais and the adult defendant, and the destruction of all by the witness Oliver; failure of the plaintiff to show how such letters were obtained, except the four letters which he claims to have purchased for \$14.00 from the co-respondent Beauvais in Canada, are all unsatisfactory.

Upon the whole case, I do not find either sufficient or substantial proof upon which to base any finding of adultery on the part of the defendant, and the plaintiff has failed to substantiate his charge by the greater weight of evidence.

To summarize, I find for the defendants as against the plaintiff, establishing that the charges against the adult defendant are not substantiated; that the infant defendant is legitimate, and that the defense setting forth the misconduct on the part of the plaintiff is not only substantiated, but is conceded, and the plaintiff's complaint and the charges of the plaintiff are dismissed.

Dated Poughkeepsie, N. Y., Sept. 27, 1922.

(Signed) DANIEL J. GLEASON, Referee.

78TH DIVISION IN ATLANTIC CITY. ATLANTIC CITY, Sept. 29.—The vanguard of the 78th Division, which meets in Atlantic City over the weekend, arrived here at noon today. The Entertainment Committee, headed by Capt. Wallace E. Cox, New York City, is arranging a programme.

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